

MAY 19 2005

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TELECOPIER COVER SHEET

Client/Matter Nos: 1410/77070

Date: May 19, 2005

The transmission that follows totals 3 pages, including this cover sheet. Please deliver immediately to the following:

Examiner : L. Tran
Art Unit: 1761

Fax: (703) 872-9306

Re: U.S. Application No. 10/774,692
HOWARD, ET AL.

This transmission is being sent by ramon r. hoch, please call (202-419-7000) if there is a problem with this transmission.

COMMENTS:

CERTIFICATE OF FACSIMILE: I hereby certify that these papers (1) RESPONSE TO RESTRICTION REQUIREMENT AND ELECTION (two pages), are being transmitted via facsimile to: Commissioner for Patents, Washington, D.C. 20231, on this day of May 19, 2005.

Ramon R Hoch
Ramon R. Hoch

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MAY 19 2005

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:) Confirmation No.: 7393
)
HOWARD, ET AL.) Attny. Dkt.: 1410/77070
)
Serial No.: 10/774,692) Group Art Unit: 1761
)
Filed: February 10, 2004) Examiner: L. Tran
)
For:)
FREEZER-STABLE TOASTED)
BREAD SLICES)

Mail Stop Amendment
U.S. Patent and Trademark Office
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT AND ELECTION

Sir:

Responsive to the restriction requirement set forth in the Office communication dated April 21, 2005, Applicants elect Group II, which currently encompasses process claims 11-33, with traverse.

Reconsideration of the restriction requirement is requested. Regarding the another and materially different process suggested in the Office communication for making the product as claimed via "compressing by hand," attention is directed to page 6, lines 15-16 of the instant specification.

U.S.S.N. 10/774,692
Rest. Req't. dated April 21, 2005
Election of May 19, 2005

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Atty. Dkt. No. 1410/77070

Therefore, Applicants request that the restriction requirement be withdrawn, and that the claims encompassed by Group I be rejoined and examined together with those of elected Group II.

In view of the above, issuance of an Office Action on the merits is respectfully requested.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

Date: May 19, 2005

By:

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